
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, APRIL 19, 2022.

[40]

JOURNAL OF THE HOUSE.

Tuesday, April 19, 2022.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Message from the Governor

A message from His Excellency the Governor (under Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to eliminating a sub-precinct in the town of Medway (House, No. 4708), was filed in the office of the Clerk on Thursday, April 14.

Medway,—
sub-precinct.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Election Laws. Sent to the Senate for concurrence.

Guests of the House.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced students from The Williston Northampton School, who were seated in the House Chamber. They were the guests of Ms. Blais of Sunderland.

Williston
Northampton
School.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced the SALMON Health and Retirement management team, who were seated in the House Chamber. They were the guests of Mr. Muradian of Grafton.

SALMON Health
and Retirement.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced the Martin family from East Boston, who were seated in the House Chamber. They were the guests of Mr. Madaro of Boston.

Martin family.

Orders.

The following order (filed by Mr. Day of Stoneham) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until Thursday, June 30, 2022, within which time to make its final report on current House documents numbered 117, 135, 1462, 1471, 1479, 1518, 1522, 1530, 1567, 1616, 1643, 1644, 1709, 1714, 1763, 1781, 1795, 1798, 1819, 1826, 1832, 1894, 1900, 1901, 1904, 1905, 1908, 1912, 3570, 4290, 4303, 4347 and 4444.

The Judiciary
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4711) ought to be adopted. Under suspension of the rules, on motion of Mr. Garballey of Arlington, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Cutler of Pembroke) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Labor and Workforce Development be granted until Friday, May 13, 2022, within which time to make its final report on current House documents numbered 4557 and 4647.

Labor and Workforce Development committee,—extension of time for reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4706) ought to be adopted. Under suspension of the rules, on motion of Mr. Garballey of Arlington, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Gordon of Bedford) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Service be granted until Friday, May 20, 2022, within which time to make its final report on current House document numbered 4568.

Public Service committee,—extension of time for reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4710) ought to be adopted. Under suspension of the rules, on motion of Mr. Garballey of Arlington, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Straus of Mattapoisett) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Friday, May 6, 2022, within which time to make its final report on current House document numbered 4561.

Transportation committee,—extension of time for reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4707) ought to be adopted. Under suspension of the rules, on motion of Mr. Garballey of Arlington, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Communications.

Communications

From the Secretary of Health and Human Services requesting an extension of the reporting date for the Autism Commission (see Section 124 of Chapter 24 of the Acts of 2021) to investigate and report on the impact of the outbreak of the 2019 novel coronavirus, also known as COVID-19, on Black, Latinx, Asian American and Pacific Islander, Native American and other individuals of color who have a diagnosis of autism spectrum disorder;

COVID-19,—impacts, autism spectrum disorder.

From the Rose Fitzgerald Kennedy Greenway Conservancy, Inc. (see Section 7 of Chapter 306 of the Acts of 2008) submitting audited financial statements of said conservancy for fiscal year 2021, entitled “The Green Way”; and

Kennedy Greenway Conservancy.

From the Department of Mental Health (see Section 9 of Chapter 321 of the Acts of 2008) submitting the annual report for fiscal year 2021 of the Children's Behavioral Health Knowledge Center;
Severally were placed on file.

Children's
behavioral
health.

Reports.

Annual Reports

Of the Division of Administrative Law Appeals (under Section 4H of Chapter 7 of the General Laws) for calendar year 2021; and

Administrative
Law Appeals.

Of the State Lottery Charitable Gaming Division (under Section 38 of Chapter 10 of the General Laws) for calendar year 2021; and

Charitable
gaming.

Report of the Office of the Child Advocate (under Section 5 of Chapter 18C of the General Laws) relative to the multi-system investigation into the death of David Almond of Fall River on October 21, 2020;

David Almond,—
investigation.

Severally were placed on file.

Petitions.

Representative Barrett of North Adams and Senator Hinds presented a joint petition (accompanied by bill, House, No. 4712) of John Barrett, III and Adam G. Hinds (by vote of the town) that the town of Lanesborough be authorized to continue the employment of certain members of the fire department of said town; and the same was referred to the committee on Public Service. Sent to the Senate for concurrence.

Lanesborough,—
creditable
service.

Petitions severally were presented and referred as follows:

By Representative Belsito of Topsfield and Senator Lovely, a joint petition (subject to Joint Rule 12) of Jamie Zahlaway Belsito and Joan B. Lovely for legislation to establish maternal mental and behavioral health care workforce grants.

Maternal health
care grants.

By the same member, a joint petition (subject to Joint Rule 12) of Jamie Zahlaway Belsito, Joan B. Lovely and others for legislation to establish a program to address maternal mental health conditions and substance use disorders of certain pregnant and postpartum individuals.

Maternal health
program.

By the same member, a petition (subject to Joint Rule 12) of Jamie Zahlaway Belsito that the Department of Mental Health be authorized to establish a program of peer support services.

Peer support
services
program.

By Mr. Driscoll of Milton (by request), a petition (subject to Joint Rule 12) of Jessica Nohmy relative to consanguinity as a defense to the crime of accessory after the fact.

Crime of
accessory
defense.

By Mr. Howitt of Seekonk, a petition (subject to Joint Rule 12) of Steven S. Howitt and others relative to the theft of vehicle catalytic converters.

Catalytic
converters.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

The following order came from the Senate with the endorsement that it had been adopted, in concurrence, by said branch with an amendment striking out [at "A"] the following: "Friday, April 15, 2022" and inserting in place thereof the following: "Sunday, July 31, 2022".

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Election Laws be granted until [A]Friday, April 15, 2022, within which time to make its final report on current House document numbered 4482.

Election Laws committee,—
extension
of time for
reporting.

Under suspension of Rule 35, on motion of Garballey of Arlington, the amendment was considered forthwith; and it was adopted, in concurrence.

The House Bill preserving open space in the Commonwealth (House, No. 851), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2831. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Open space,—
preservation.

A Bill relative to the remediation of home heating oil releases (Senate, No. 2830) (on Senate bill No. 2801), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Heating oil,—
remediation.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Election Laws be granted until Sunday, July 31, 2022 within which time to make its final report on current Senate documents numbered 452, 456, 460, and 467, and House documents numbered 777, 781, 807, 819, 821, 824, 829, 830, 835, 3743, 3744, 3828, 3934, 3940, 4142 and 4207 relative to election laws matters.

Election Laws committee,—
extension of
time for
reporting.

Under suspension of the rules, on motion of Mr. Garballey of Arlington, the order (Senate, No. 2646, amended) was considered forthwith; and it was adopted, in concurrence.

An order came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Election Laws be granted until June 10, 2022 within which time to make its final report on current Senate documents numbered 470, 471 and 475 and House documents numbered 769, 772, 773, 774, 778, 800 and 4070 relative to campaign finance.

Id.

Under suspension of the rules, on motion of Mr. Garballey of Arlington, the order (Senate, No. 2826) was considered forthwith; and it was adopted, in concurrence.

A Report of the Department of Elementary and Secondary Education (pursuant to Section 1J(a) of Chapter 69 of the General Laws) submitting its proposed amendment to 603 CMR 2.03: Accountability and assistance for all districts and schools (Senate, No. 2829), was referred, in concurrence, to the committee on Education.

DESE
regulations.

The petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2825) of Harriette L. Chandler (with approval of the mayor and city council) for legislation to authorize the city manager of the city of Worcester to appoint police cadets under certain circumstances to the Worcester police department. To the committee on Public Service.

Worcester,—
police cadets.

Petition (accompanied by bill, Senate, No. 2840) of Michael J. Barrett and Thomas M. Stanley (by vote of the town) for legislation to authorize the town of Lincoln to adopt and enforce local regulations restricting new fossil fuel infrastructure in certain construction. To the committee on Telecommunications, Utilities and Energy.

Lincoln,—
fossil fuel.

Reports of Committees.

By Mr. Honan of Boston, for the committee on Steering, Policy and Scheduling, that the following House bills be scheduled for consideration by the House:

Relative to the date for the annual town election in the town of Montague (House, No. 4231) [Local Approval Received]; and

Montague,—
election.

Relative to voting precinct 3 of ward 4 in the city of Peabody (House, No. 4528) [Local Approval Received];

Peabody,—
precinct 3.

Under suspension of Rule 7A, in each instance, on motion of Mr. Garballey of Arlington, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Mr. Galvin of Canton, for the committee on Rules of the two branches, acting concurrently, that the following matters ought to pass:

Bills

Relative to the pesticide board (House, No. 4601); and

Pesticides.

To protect pollinator habitat (House, No. 4603); and

Bee habitat.

Resolve establishing a commission to study veterans' transportation issues (House, No. 3684).

Veterans'
transportation,—
study.

Severally referred, under Rule 33, to the committees on Ways and Means.

By Mr. Rogers of Cambridge, for the committee on Higher Education, on House Nos. 1331, 1336 and 1337, a Bill creating higher education opportunities for students with intellectual disabilities, autism, and other developmental disabilities (House, No. 4695).

Disabled,
etc.,—
college.

By the same member, for the same committee, on House, Nos. 1335 and 1340, a Bill relative to college athlete compensation (House, No. 4696).

College
athletes.

By the same member, for the same committee, on House, Nos. 1350 and 1368, a Bill establishing the Massachusetts hunger-free campus initiative (House, No. 4697).

Hunger-free
campus
initiative.

By Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, on House, No. 6 and on a part of House, No. 3, a Bill relative to Chapter 30B (House, No. 6).

Uniform
procurement
law.

By the same member, for the same committee, on a petition, a Bill further regulating access to public records (House, No. 3110).

Public record
access.

By the same member, for the same committee, on a petition, a Bill regarding information governance (House, No. 3195).

Public
records,—
plan.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Day of Stoneham, for the committee on the Judiciary, on a petition, a Bill relative to the duties of the Clerk and Assistant Clerk of the Supreme Judicial Court for Suffolk County (House, No. 4581).

Suffolk
County,—
clerks.

By Mr. Cutler of Pembroke, for the committee on Labor and Workforce Development, on Senate, Nos. 1235 and 1236, and House, No. 1974, a Bill relative to the scheduling of employees (House, No. 4698).

Employee scheduling.

By the same member, for the same committee, on House, No. 2056, a Bill prohibiting employment discrimination based on the legal use of cannabis (House, No. 4699).

Cannabis,—employee discrimination.

By Mr. Tucker of Salem, for the committee on Municipalities and Regional Government, on a petition, a Bill concerning the rental of mopeds and motor scooters in the town of Oak Bluffs (House, No. 4322) [Local Approval Received].

Oak Bluffs,—motor scooters.

By the same member, for the same committee, on a joint petition, a Bill amending the charter of the city of Chelsea (House, No. 4534) [Local Approval Received].

Chelsea,—charter.

By the same member, for the same committee, on a petition, a Bill changing the board of selectmen of the town of Milford to a select board (House, No. 4556) [Local Approval Received].

Milford,—select board.

By the same member, for the same committee, on a petition, a Bill relative to the Boston Landmarks Commission (House, No. 4565) [Local Approval Received].

Boston landmarks.

By the same member, for the same committee, on a petition, a Bill amending the charter of the city of Lynn (House, No. 4623) [Local Approval Received].

Lynn,—city charter.

By the same member, for the same committee, on a petition, a Bill removing the residency requirement for the board of trustees of the Grand Army Building in the city of Lynn (House, No. 4624) [Local Approval Received].

Lynn,—Grand Army Building.

By the same member, for the same committee, on a petition, a Bill removing the residency requirement for members of the traffic commission in the city of Lynn (House, No. 4625) [Local Approval Received].

Lynn,—traffic commission.

By the same member, for the same committee, on a petition, a Bill removing the residency requirement for the city of Lynn's water and sewer commission (House, No. 4626) [Local Approval Received].

Lynn,—water and sewer commission.

By the same member, for the same committee, on a petition, a Bill relative to the Swansea Water Commissioner health benefits (House, No. 4651).

Swansea water commissioner.

By the same member, for the same committee, on a petition, a Bill relative to changing the Swansea Water District Commissioner election and term (House, No. 4652).

Id.

By Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, on House, No. 5 and on a part of House, No. 3, a Bill relative to relative to Inspector General annual reports (House, No. 5).

Inspector General,—reports.

By the same member, for the same committee, on a petition, a Bill relative to making amendments to the Massachusetts Business Corporation Act (House, No. 3129).

Massachusetts Business Corporation Act.

By the same member, for the same committee, on a petition, a Bill relative to charter school procurement (House, No. 4110).

Charter school procurements.

By the same member, for the same committee, on a joint petition, a Bill directing the superintendent of state office buildings to install a permanent memorial in the Massachusetts State House in honor of Mercy Otis Warren (House, No. 4281).

Mercy Otis Warren,—memorial.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Shana Hicks, an employee of the Department of Public Health (see Senate, No. 2792), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Shana Hicks,—
sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 4 to 0. Sent to the Senate for concurrence.

Orders of the Day.

The Senate Bill establishing a sick leave bank for Kim Souza, an employee of Trial Court (Senate, No. 2702) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Third
reading
bill.

House bills

Relative to tax title expense (House, No. 2150, changed); and

Authorizing the town of Amherst to continue the employment of Walter (Tim) Nelson (House, No. 4593);

Third
reading
bills.

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Order.

On motion of Mr. Mariano of Quincy,—

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

Next
sitting.

Mr. Golden of Lowell moved that when the House adjourns today, it do so in respect to the memory of Timothy M. Rourke, a member of the House from Lowell in 1980, 1981 and 1982; and the motion prevailed.

Accordingly, at twenty-eight minutes after eleven o'clock A.M., on motion of Mr. Frost of Auburn (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.